



265/aw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hakan Ozdemir
Title: CIRCUIT AND METHOD FOR DETECTING THE PHASE OF A SERVO SIGNAL
Serial Number: 09/993,779
Filing Date: November 5, 2001
Examiner/Unit: Glenda Rodriguez /2651
Attorney Docket No.: 01-S-046 (1678-48)

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited in the United States Postal Service as First Class mail in an envelope addressed to: MS AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22nd day of September, 2005.


Signature

RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 CFR § 1.143

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

In response to the August 22, 2005 restriction requirement under 35 USC § 121, Applicant's attorney elects Group I (Claims 1-5, 21-42, and 49-50) for prosecution with traverse. Specifically, the Applicant's attorney believes that the Group II and Group III claims should be combined into a single group. This will allow the Applicant to file a single divisional application that includes all of the Group II and Group III claims 6-20 and 43-48.

According to MPEP § 803, if the Examiner can search and examine the application without serious burden, then he/she **MUST** examine the application on the merits even though it includes claims to independent or distinct inventions. As discussed below, because claims 6-20 and 43-48 recite related subject matter, the Examiner can perform a single search and examination that will cover all of these Group II and Group III claims. Consequently, the Examiner can search and examine the Group II and Group III claims without serious burden, and, therefore, **MUST** examine all of the claims 6-20 and 43-48 together in a single divisional application.

Claim 43 is a method version of claim 6, claim 45 is a method version of claim 13, and claim 47 is a method version of claim 17. Therefore, during his search for the Viterbi detector claims 6-20, the references that the Examiner finds will include both Viterbi detectors and methods that these detectors implement. Furthermore, an examination of the Viterbi detector claims 6-20 will also apply to the related method claims 43-48. Consequently, a single search will find references for both the Viterbi detector claims 6-20 and the method claims 43-48, and a single examination will cover the Viterbi detector claims 6-20 and the method claims 43-48.

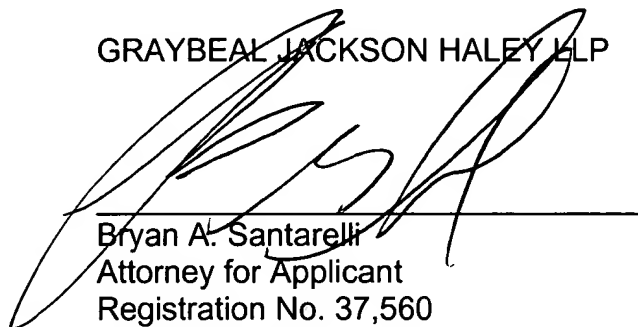
In the event additional fees are due as a result of this amendment, payment for those fees has been enclosed in the form of a check. Should further payment be required to cover such fees you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the Applicants' attorney, Bryan Santarelli, at (425) 455-5575.

DATED this 22nd day of September, 2005.

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP

A large, stylized handwritten signature in black ink, appearing to read 'B. Santarelli', is written over a horizontal line.

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